

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

ARTAK ARUTYUNYAN YURIKOVICH,

Petitioner,

v.

No. CV 10-663 BB/LAM

ERIC HOLDER, et al.,

Respondents.

ORDER

THIS MATTER is before the Court on Petitioner's *Petition for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241 (Doc. 1)*. Pursuant to the rules governing habeas corpus proceedings, the Court will order an answer to Petitioner's petition. In addition, the Court will substitute the warden of Petitioner's detention facility as the properly-named Respondent in this proceeding. *See Rumsfeld v. Padilla*, 542 U.S. 426, 434-35 (2004) (explaining that the proper respondent to a habeas petition is the person who has custody over the petitioner).

IT IS THEREFORE HEREBY ORDERED that the Clerk is directed to substitute Ray Terry, Warden of Otero County Processing Center as the sole named Respondent in this matter and that Respondents Eric Holder, Janet Napolitano and Alfred Campos be dismissed as improperly named respondents;

IT IS FURTHER ORDERED that the Clerk shall forward copies of this Order to Respondent Ray Terry, Warden, at Otero County Processing Center, 26 McGregor Range Rd., Chaparral, N.M. 88081, and to the United States Attorney for the District of New Mexico, with

copies of the *Petition for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241* (Doc. 1) and supporting papers and exhibits, if any;

IT IS FURTHER ORDERED that Respondent shall answer Petitioner's *Petition for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241* (Doc. 1) within **twenty-three days** from entry of this Order.

IT IS SO ORDERED.



LOURDES A. MARTÍNEZ
UNITED STATES MAGISTRATE JUDGE